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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 03-00128 PJH
	)	
Plaintiff,	)	
	)	
v.	)	MOTION TO DISMISS BY THE UNITED
	)	STATES AND [ <del>PROPOSED</del> ] ORDER OF
	)	DISMISSAL
ACIE L. MATHEWS,	)	
	)	
Defendant.	)	
	)	
	)	

With leave of the Court, and pursuant to Federal Rule of Criminal Procedure 48(a), the United States Attorney for the Northern District of California dismisses the above Indictment.

This above entitled case is a companion case to *United States v. Acie L. Mathews*, CR 01-0149 MJJ. In the '01 case, on September 16, 2005, Mr. Mathews pled guilty pursuant to a plea agreement. Docket # 664, 665 and 666. In the plea agreement, the government agreed to move to dismiss, at sentencing, any open charges against Mr. Mathews in cases CR 01-0149 and CR 03-0128. Mr. Mathews was sentenced in the '01 case on March 30, 2006. Docket # 716.

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NOTICE OF DISMISSAL (CR 03-0239 PJH)

1 Accordingly the '03 charge should be dismissed.

2 DATED: November 14, 2012

Respectfully submitted,

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4 MELINDA HAAG  
United States Attorney

5  
6 \_\_\_\_\_s/  
7 MIRANDA KANE  
Chief, Criminal Division

8 **IT IS HEREBY ORDERED** that leave to dismiss the Indictment in CR 03-00128 PJH is  
9 granted and the Indictment is hereby dismissed.

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11 Date: 11/16/12

12 \_\_\_\_\_  
13 PHYLLIS J. HAMILTON  
United States District Judge  
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